

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 1690B/MG	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/AT2004/000360	International filing date (day/month/year) 22.06.2004	Priority date (day/month/year) 25.06.2003
International Patent Classification (IPC) or national classification and IPC B41J29/48, B41J11/00		
Applicant TELECOM ITALIA S.P.A. ET AL.		
<p>1. This report is the International preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of sheets, as follows: <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)), containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). 		
<p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the opinion <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application 		
Date of submission of the demand 21.01.2005	Date of completion of this report 16.09.2005	
Name and mailing address of the International preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Van den Meerschaut, G Telephone No. +31 70 340-	



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/T2004/000360

Box No. I Basis of the report

- With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
 - international search (under Rules 12.3 and 23.1(b))
 - publication of the international application (under Rule 12.4)
 - international preliminary examination (under Rules 55.2 and/or 55.3)
 - With regard to the **elements*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

Description, Pages

1-10 as originally filed

Claims, Numbers

1-8 as originally filed

Drawings, Sheets

1/4-4/4 as originally filed

- a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
 - 3. The amendments have resulted in the cancellation of:
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):
 - 4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/IT2004/000360

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-8
	No:	Claims	
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-8
Industrial applicability (IA)	Yes:	Claims	1-8
	No:	Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/IT2004/000360

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

D1: EP 1 231 070A

D2: JP 2001 206 602A

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1 and 8 does not involve an inventive step in the sense of Article 33(3) PCT.

Document D1 regarded as being the closest prior art to the subject-matter of claims 1 and 8, discloses (the references in parentheses applying to this document):

A POS-printer for receipts made from a paper tape wound on a roll (S) placed in a housing (2), the printer being able to assume different positions, horizontal and vertical.

The printer has a paper-near-end detector with a sensor means (30) comprising two projecting elements (33A, 33B) for engaging the paper roll, respectively when the printer is in a first (horizontal) position, or in a second (vertical) position.

The subject-matter of claims 1 and 8 therefore differs from this known POS-printer in that the projecting elements engage a hole in a sprocket of the paper roll.

The problem to be solved by the present invention may therefore be regarded as determining the location of the paper-near-end detection.

The solution proposed in claims 1 and 8 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT). D2 shows a paper-near-end sensor displaced in the inside of a hollow core part of the paper roll when the diameter of the paper roll becomes lower than a designated value. The skilled person would therefore regard it as a normal option to include this feature in the POS-printer described in document D1 in order to solve the problem posed.

Dependent claims 2-7 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, see documents cited in the search report.